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IN THE UNITED STATES DISTRICT COURT FOR THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

LISA S. BLACK, CIVIL ACTION NO. 05-0038

Plaintiff,

VS.

JIM BREWER, individually and in his official capacity as Acting Principal for Hopwood Junior High School, COMMONWEALTH OF THE NORTHERN) MARIANA ISLANDS PUBLIC SCHOOL SYSTEM, and JOHN AND/OR JANE DOE,

Defendants.

DECLARATION OF MICHAEL DOTTS

I, Michael W. Dotts, declare under the penalty of perjury according to the laws of the Commonwealth of the Northern Mariana Islands and the United States of America, that the following is true and based upon my personal knowledge, except where noted otherwise, and if called to testify, I could do so competently:

- I am a partner with O'Conner, Berman, Dotts & Banes, the attorneys of record for the Pliantiff in the above-entitled action.
- 2. During the course of my representation of the Plaintiff, I conducted the Rule 30(b)(6) deposition of Defendant CNMI Public School System ("PSS"). During that deposition, PSS provided me with several exhibits that contained statistical information regarding classroom teacher employment status, relative levels of education and relative experience in teaching.

- 3. Attached as "Exhibit A" to this declaration is a two page document that PSS represented reflected the employment status of PSS classroom teachers from the 1999/2000 school year until the present. In the column "Separation-Not Renewed" the first chart shows that with the exception of one year in the past ten (10), PSS teachers stood a statistically insignificant chance of being non-renewed (reflected as a 0% nonrenewal rate). This chart reflected that in school year 2003/2004 there was a 1% incidence of separation by non-renewal. The second chart gives the actual numbers of teachers who were not renewed and reflects that only ten (10) teachers in the last ten (10) years have been separated by non-renewal of contract.
- 4. In representing my client I requested information with regard to the educational levels of the individuals who teach at PSS. I felt this is relevant because a reasonable jury could conclude that PSS would be inclined to renew the contracts of teachers who had themselves attained higher levels of education. Attached as "Exhibit B" to this declaration is a document that PSS represented reflects the current breakdown of educational levels of classroom teachers in PSS. It reflects that only 15% of the classroom teachers have Masters of Arts Degrees. Ms. Black has a Masters of Arts Degree in Curriculum and Teaching.
- 5. In representing my client I requested information with regard to the teaching experience of the individuals who teach at PSS. I felt this is relevant because a reasonable jury could conclude that PSS would be inclined to renew the contracts of teachers who had themselves attained higher levels of teaching experience. Attached as "Exhibit C" to this declaration is a document that PSS represented reflects the current breakdown of teaching experience of

classroom teachers within PSS. It reflects that only eighteen (18) teachers in the entirety of PSS have between sixteen (16) and twenty (20) years of teaching experience and only four (4) have more than that. This is as compared to teachers with less than five years experience who total three-hundred and four (304). Ms. Black has approximately twenty (20) years of teaching experience.

Signed, on Saipan, Commonwealth of the Northern Mariana Islands, this 30th day of November, 2006.

Michael W. Dotts.

ي الموال المسال	Inactive						:	:	i
Emporaria								_	
elt Tacition of the	School Year								C + C C C C C C C C C
Count of Position	1999-2000	2000-2001 2001-2002 2002-2003 2003-2004	21-2002 2	2002-2003	2003-2004		9	2006-2007	Grand Lotal
Action Type	%0	%0	%0	%0	%0		%	%0	%
Disability Retirement	è	700	%0	%0	1%	%0	%0	%0	2% /
Resignation-Medical/Health Reason	0/0	8/0	%	%0	%0	%	%0	%0	%0
Resignation-Military	0/0	200	1%0	%0	%	1%	%0	%0	2%
Resignation-Other Employment Oppurunities	8/0 	200	200	2%	3%	2%	%	%0	13%
Resignation-Personal Reason	200	%0	262	%0	%0	%0	%	%0	2%
Resignation-Pursue Higher Education	700	%0	2%	2%	1%	2%	2%	%0	%6
Resignation-Relocation	0/0	70%	4%	1%	1%	4%	2%	%0	34%
Resignation-Unavailable	70/0	-	%	1%	2%	2%	2%	%0	13%
Retirement	0/-	+	7%	%0	%0	%0	1%	%0	14%
Separation	0/0	%0	2%	2%	2%	1%	%0	%0	%9
Separation-Completion of Contract	700	%0	2 %	%0	1%	%0	%0	%	1%
Separation-Not Renewed	%0	%0	%0	%0	%0	%0	%0	%0	1%
Termination	8/0	%0	%0	%0	%0	%0	%0	%0	1%
Termination-Abandonment of Job	%	%0	%0	%0	%0	%0	%0	%0	1%
Termination-Deceased	14%	 	17%	12%	11%	15%	19%	1%	100%
Gland Joseph		-							

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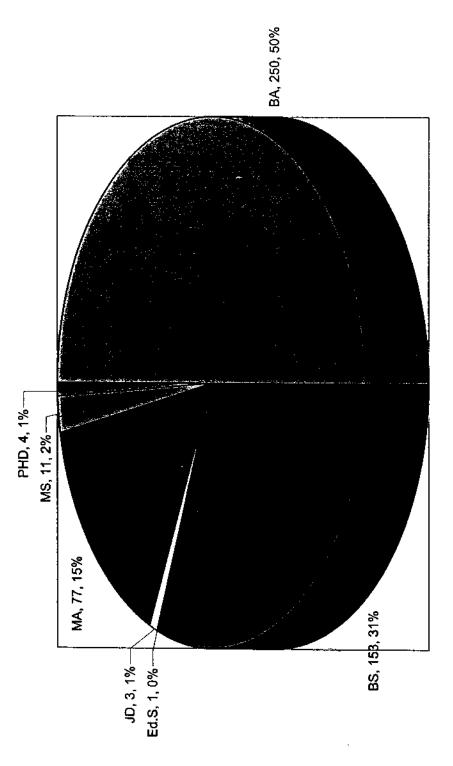


EmpStatus	Inactive								
Count of Position Title	School Year								
Action Type	1999-2000	2000-2001	2001-2002	2000-2001 2001-2002 2002-2003 2003-2004 2004-2005 2005-2006 2006-2007	2003-2004	2004-2005	2005-2006	2006-2007	Grand Total
Disability Retirement			+	-	2	-			5
Resignation-Medical/Health Reason			2	8	S	က	2	 - -	15
Resignation-Military									
Resignation-Other Employment Oppurtunities			က	ļ	-	5	က		13
Resignation-Personal Reason			16	32	23	14	ထ		93
Resignation-Pursue Higher Education			ß	2	2	2	£		16
Resignation-Relocation			-	13	თ	16	14	2	65
Resignation-Unavailable	28	53	53	œ	თ	33	22	2	240
Retirement	ß	4	5	က	+	17	38		91
Separation	36	17	59	-		3	7	က	96
Separation-Completion of Contract			12	7	7	9	2	-	43
Separation-Not Renewed			-	2	4	က			10 *
Termination		-	2	-	-	2	2		6
Termination-Abandonment of Job				2	_		2		2
Termination-Deceased			က	-			-		7
Grand Total	66	7.5	124	83	80	105	134	6	602



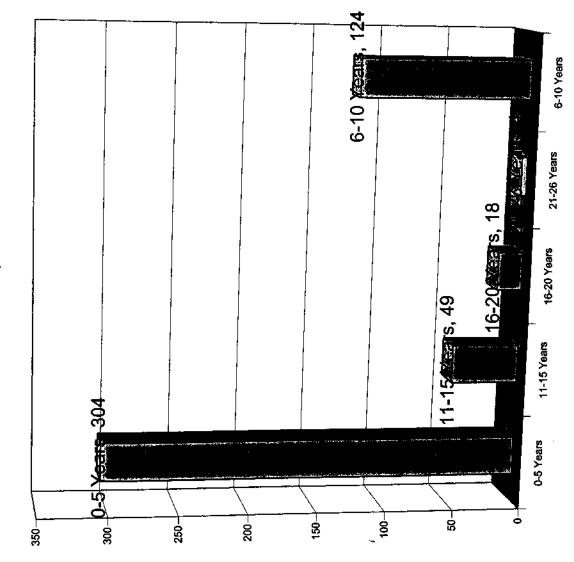


Current CT's Degree Count



□BA BS □Ed.S □JD ■MA □MS □PHD

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Current CTs: Teaching Experience Count